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Darrin Polhemus, PE
State Water Resources Control Board
1001 "I" Street
Sacramento, Ca.

Re: Comments on the Draft Regulations of AB885

As a Registered Environmental Health Specialist, with over 33 years of experience in the Onsite Wastewater Field, and the Technical Section Chair of the California Environmental Health Association, I want to extend my thanks, to you and your staff for developing the current "draft" of the AB 885 regulations.

I know that as you have travelled the state, you have heard many interesting stories from regulators, designers, and property owners over issues. Most likely the main issue...that they cannot afford the new regulations.

Well, as a designer of onsite wastewater systems, I want to say....yes, yes we can afford the costs. That if you water down this version of the regulations, then the cost to remediate contaminated ground and surface waters would be even greater. Our goal is to protect groundwater resources.

I have made my few comments to you and the technical group. And to make it official, here it goes again. My comments are:

- 1) Provide definitions for soil structure. I have provided you and staff with suggested wording,
- 2) Table 2, gets confusing. Because the infiltration rate chart that is shown in the draft regulations has technical issues, and does not fit the national model that the majority of regulators have adopted in the state. I wonder, do we even then this chart?
- 3) An third, the depth to groundwater chart (Table 1). Again, in Region 1 and 2, the depth to groundwater is based upon the percentage of sand, silt, clay, and rock (below trench bottom). Not the percolation rate. The percent of sand, silt, clay and rock is measured in a lab analysis through a hydrometer test. The procedure has an ASTM standard, so the results are precise, and not guess work. There is just too much error in percolation test methods to establish the

correct separation to groundwater and depth of soil below trench bottom. If you could clearly state that Tier 1 and 2 systems may continue with the current practices accepted by Region 1 and 2, for depth to groundwater and depth of soil below trench bottom....that would make the subject very clear. ***Note: I have heard your comments, is that's what the Table mentions....however, in conversations with regional board staff...they are confused with the issue. Could the Table be improved?***

Again, I want to thank you and your staff for the many opportunities for input and changes. And thank for doing a great job, with such a complicated state. We have a long way to go, but the progress has been great.

Yours truly,

T.J. Walker

Theodore J. Walker, REHS
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Liquid Waste Technical Chair